

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARNOLD EDWARD DeMANN,

Petitioner,

Case No. 1:11-CV-438

v.

HON. GORDON J. QUIST

TERESA HARVATICH, et al.,

Respondent.

ORDER
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on Petitioner on June 23, 2011. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). Therefore the Court will adopt the Report and Recommendation.

THEREFORE, IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 22, 2011, is approved and adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Petitioner's habeas corpus petition is **DENIED** because Petitioner was not "in custody" at the time he filed his habeas petition and his petition is barred by the one-year statute of limitations.

This case is **concluded**.

Dated: July 18, 2011

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE